

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT \_\_\_\_\_

**FILED**  
NOV 06 2013  
Clerk, U. S. District Court  
Eastern District of Tennessee  
At Chattanooga

Franklin Lee Osborne )

\_\_\_\_\_ )

\_\_\_\_\_ )

(Enter above the NAME of the  
plaintiff in this action.) )

v. )

Rhea County Jail )

\_\_\_\_\_ )

\_\_\_\_\_ )

(Enter above the NAME of each  
defendant in this action.) )

1:13-cv-372  
mattice | carter

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS  
(42 U.S.C. Section 1983)

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? YES ( ) NO (✓)

B. If your answer to A is YES, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiffs: \_\_\_\_\_

\_\_\_\_\_

Defendants: \_\_\_\_\_

\_\_\_\_\_

2. COURT: (If federal court, name the district; if state court, name the county):  
\_\_\_\_\_
3. DOCKET NUMBER: \_\_\_\_\_
4. Name of Judge to whom case was assigned: \_\_\_\_\_
5. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_
6. Approximate date of filing lawsuit: \_\_\_\_\_
7. Approximate date of disposition: \_\_\_\_\_

II. PLACE OF PRESENT CONFINEMENT: Rhea County Jail

- A. Is there a prisoner grievance procedure in this institution? YES ( ) NO (✓)
- B. Did you present the facts relating to your complaint in the prisoner grievance procedure? YES ( ) NO (✓)

C. If your answer is YES,

1. What steps did you take? \_\_\_\_\_  
\_\_\_\_\_
2. What was the result? \_\_\_\_\_  
\_\_\_\_\_

D. If your answer to B is NO, explain why not. Because They do not offer a grievance procedure

E. If there is no prison grievance procedure in the institution, did you complain to the prison authorities? YES (✓) NO ( )

F. If your answer is YES,

1. What steps did you take? wrote a letter to Jail Administrator with No response

2.

What was the result?

No response

## III. PARTIES

(In item A below, please your name in the first blank and place your present address in the second blank. Do the same for any additional plaintiffs.)

A.

Name of plaintiff:

Franklin Lee Osborne

Present address:

128 oak grove rd Decatur, TN 37880

Permanent home address:

128 oak grove rd Decatur, TN 37880

Address of nearest relative:

128 oak grove rd Decatur, TN 37880

(In item B below, place the FULL NAME of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the additional names, positions, and places of employment of any additional defendants.)

B.

Defendant:

Garland Wilkey

Official position:

Seargant

Place of employment:

Rhea County Jail

C.

Additional defendants:

Melba Huffman

## IV. STATEMENT OF CLAIM

(State here as briefly as possible the FACTS of your case. Describe how EACH defendant is involved. Include also the names of other persons involved, dates and places. DO NOT give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.)

During my stay here  
at Rhea County Jail my medically

Issued Cane ~~in~~ in which  
was issued by Head Doctor at TDOC  
facility Morgan County Correctional Complex  
was taken for the simple reason  
that ~~he~~ Mr. Wilkey said I did not  
need it. Which resulted in pain, discomfort  
and suffering from having to walk  
in shackles and having to jump up  
and down from a top bunk. Which  
I am not suppose to be on because  
I am a Class B-medical with an  
State Issued AVO ordered from Morgan  
county correctional complex this year

V. RELIEF

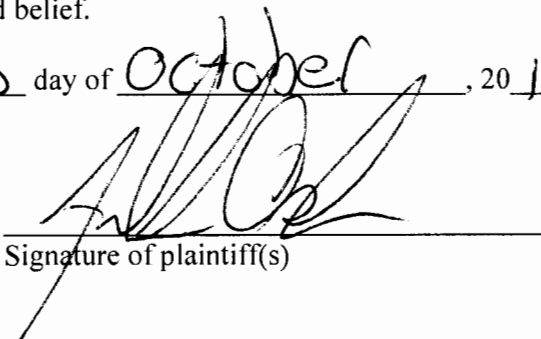
(State BRIEFLY exactly what you want this Court to do for you. Make NO legal arguments.

Cite NO cases or statutes.)

To grant me an Indigent status.  
To Grant me a motion of relief and  
to give me the information on how  
to get counsel appointed for an Indigent  
Inmate.

I (We) hereby certify under penalty of perjury that the above complaint is true to the best of my (our) information, knowledge and belief.

Signed this 10/31/13 day of October, 20 13.

  
\_\_\_\_\_  
Signature of plaintiff(s)